



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC - 2 2015

New Hampshire Democratic Party
105 N. State Street
Concord, NH 03301

RE: MURs 6470, 6482, and 6484
Mitt Romney
Romney for President, Inc. and Darrell Crate
in his official capacity as Treasurer
Free and Strong America PAC, Inc.
and Darrell Crate in his official capacity as
Treasurer
The Commonwealth PAC – Alabama,
The Commonwealth PAC – Iowa,
The Commonwealth PAC – Michigan,
The Commonwealth PAC – New
Hampshire,
The Commonwealth PAC – South Carolina
and Shauna Polk in her official capacity as
Treasurer

Dear Sir or Madam:

The Federal Election Commission has considered the allegations contained in your complaints dated April 28, July 14, 2011, and August 1, 2011, but was equally divided on whether:

- (1) to find reason to believe that Mitt Romney, and Romney for President, Inc. and Darrell Crate, in his official capacity as Treasurer violated 52 U.S.C. § 30116(f) by knowingly accepting excessive in-kind contributions for testing-the-waters activity from Free and Strong America;
- (2) to find reason to believe that Romney for President, Inc. and Darrell Crate, in his official capacity as Treasurer violated 52 U.S.C. §§ 30104 and 30116(a) and 11 C.F.R. § 103.3, 100.72, and 100.131 by failing to report Romney's testing-the-waters activity;
- (3) to take no action at this time that Mitt Romney violated 52 U.S.C. § 30125(e);

- 11-03-2015 10:08
- (4) to find reason to believe that Free and Strong America PAC, Inc. and Darrell Crate, in his official capacity as Treasurer ("Free and Strong America PAC") violated 52 U.S.C. §§ 30116(f) by knowingly accepting excessive contributions from donors to The Commonwealth PAC – Alabama, The Commonwealth PAC – Iowa, The Commonwealth PAC – Michigan, The Commonwealth PAC – New Hampshire, and The Commonwealth PAC – South Carolina (the "State PACs");
 - (5) to find reason to believe that Free and Strong America PAC violated 52 U.S.C. § 30116(a)(2)(A) by making excessive in-kind contributions to Romney and Romney for President for testing-the-waters activity;
 - (6) to find no reason to believe that Free and Strong America PAC, Inc. and Darrell Crate, in his official capacity as Treasurer violated 52 U.S.C. § 30116(a)(2)(A) by making excessive in-kind contributions to Romney and Romney for President under 11 C.F.R. § 110.2(f).
 - (7) to find reason to believe that the State PACs violated 52 U.S.C. § 30116(a)(1)(A) by making excessive in-kind contributions to Romney and Romney for President; and
 - (8) to find reason to believe that the State PACs violated 52 U.S.C. § 30116(f) by knowingly accepting excessive contributions from donors to the State PACs.

Accordingly, on November 19, 2015, the Commission closed the file in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 52 U.S.C. § 30109(a)(8) If you have any questions, please contact Kevin Hancock, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



William A. Powers
Assistant General Counsel